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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,363	06/20/2003	Sumio Kawai	IPO-P1794	7094
3624	7590	08/10/2007	EXAMINER	
VOLPE AND KOENIG, P.C. UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			MISLEH, JUSTIN P	
		ART UNIT	PAPER NUMBER	
		2622		
		MAIL DATE	DELIVERY MODE	
		08/10/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10600363	6/20/03	KAWAI, SUMIO	IPO-P1794

EXAMINER

Justin P. Misleh

ART UNIT PAPER

2622 080107

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See Attached Sheet

LIN YE
SPE. ART UNIT 2622

Election/Restrictions

1. The species election filed on 11 May 2007 elects Claims 1 – 31 as drawn to the elected invention of Species I (Figures 5 and 6). However, after careful consideration, ONLY some of the elected claims are directed to the elected species (Figures 5 and 6). For instance, Figures 7 and 8, as described in paragraph 126, indicates that the infrared cut filter 8F (which is part of the compensating optical system) has the same refractive index as that of crystal but does not have a double refraction characteristic. In this regard, Claims 4 and 22 appear to directly correspond to this feature – disclosed with Species II (Figures 7 and 8). Since it appears that only Claims 1 – 3, 5 – 21, and 23 – 31 are drawn to an elected invention, the species election is non-responsive (MPEP § 821.03).

2. Since the above-mentioned species election appears to be a *bona fide* attempt to reply, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lin Ye can be reached on 571.272.7372. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM

August 2, 2007



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